

By: Thompson of Harris

H.B. No. 304

A BILL TO BE ENTITLED

AN ACT

relating to prohibition of certain insurance discrimination.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 544.002, Insurance Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) A person may not refuse to insure or provide coverage to an individual, refuse to continue to insure or provide coverage to an individual, limit the amount, extent, or kind of coverage available for an individual, or charge an individual a rate that is different from the rate charged to other individuals for the same coverage because of the individual's:

(1) race, color, religion, or national origin;

(2) age, gender, marital status, or geographic location; ~~or~~

(3) disability or partial disability; or

(4) sexual orientation or gender identity or expression.

(d) In this section:

(1) "Gender identity or expression" means a person's having, or being perceived as having, a gender-related identity, appearance, expression, or behavior, whether or not that identity, appearance, expression, or behavior is different from that stereotypically associated with the person's assigned sex at birth.

1           (2) "Sexual orientation" means actual or perceived  
2 heterosexuality, homosexuality, or bisexuality.

3           SECTION 2. Section 544.003(b), Insurance Code, is amended  
4 to read as follows:

5           (b) A person does not violate Section 544.002(a)(2), ~~[or]~~  
6 (3), or (4) if the refusal, limitation, or charge is based on sound  
7 underwriting or actuarial principles reasonably related to actual  
8 or anticipated loss experience. For the purposes of this  
9 subsection, a refusal, limitation, or charge relating to title  
10 insurance is based on sound actuarial principles if the action is  
11 based on an examination of title or on closing the transaction.

12           SECTION 3. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2015.